

THE INDIANAPOLIS MARION COUNTY LAW ENFORCEMENT  
CONSOLIDATION COMMITTEE

DATE: November 7, 2005

CALLED TO ORDER: 5:36 p.m.

ADJOURNED: 7:40 p.m.

ATTENDANCE

Attending Members

Mary Moriarty Adams, Chairwoman  
Lonnell Conley  
Ron Gibson  
Dane Mahern  
Lynn McWhirter  
Marilyn Pfisterer  
Lincoln Plowman  
William Oliver  
Joanne Sanders

Absent Members

AGENDA

PROPOSAL NO. 471, 2005 - amends the Code to establish a metropolitan law enforcement agency through the consolidation of the Indianapolis Police Department and the Marion County Sheriff's Department, to establish a transition advisory board and make other provisions to ensure that such consolidation proceeds in an orderly fashion, and to make corresponding technical changes to numerous sections of the Code  
"Do Pass as Amended"

Vote: 6-3

## THE INDIANAPOLIS MARION COUNTY LAW ENFORCEMENT CONSOLIDATION COMMITTEE

The Indianapolis Marion County Law Enforcement Consolidation Committee of the City-County Council met on Monday, November 2, 2005. Chairwoman Mary Moriarty Adams called the meeting to order at 5:36 p.m. with the following members present: Lonnell Conley, Dane Mahern, Lynn McWhirter, Marilyn Pfisterer Lincoln Plowman, William Oliver, and Joanne Sanders. Arriving shortly thereafter was Ron Gibson. Also in attendance were President Steve Talley, Councillors Susie Day, Vernon Brown, and Jackie Nytes; and Aaron Haith, General Counsel.

Chairwoman Moriarty Adams stated that she would like to thank the members of the Law Enforcement Consolidation committee for their time invested and patience since June of 2005. She said that this committee is now at the level where there will be a vote on Proposal No. 471, 2005 after some discussion and some other amendments.

PROPOSAL NO. 471, 2005 - amends the Code to establish a metropolitan law enforcement agency through the consolidation of the Indianapolis Police Department and the Marion County Sheriff's Department, to establish a transition advisory board and make other provisions to ensure that such consolidation proceeds in an orderly fashion, and to make corresponding technical changes to numerous sections of the Code

Mr. Haith reviewed all of the highlighted amendments in Proposal No. 471, 2005.

Councillor McWhirter asked if the Sheriff is in agreement with these amendments. Chairwoman Moriarty Adams stated that from her understanding the Sheriff is in agreement.

Councillor Pfisterer asked who makes up the fifteenth member increase in the advisory committee. Mr. Haith said that it would be the Executive Director

Councillor McWhirter referring to Sec. 279-253 stated that one of the goals of this consolidation was to save money, she asked how much would the new reserve program cost.

Councillor Pfisterer asked if the procedure with Social Security Administration has been established for the new department. Mr. Haith answered in the negative and added that there is not a final ruling on social security, because there is not a new agency to give the study to Social Security Administration. Councillor Pfisterer referring to the statement that reads, *"No member of the sheriff's department who becomes a member of the agency and remains in the sheriff's department pension plan will be removed from Social Security against his/her wishes"*, asked how can the council be assured that this sentence can be carried out with out knowing what the parameters are. Mr. Haith stated that the Social Security Administration will have the final say.

Suzannah Overholt, Transition Director, stated that the City Administration has had more conversation with the Social Security Administration and what the understanding is in terms of social security is that the city administration will be going to the Social Security Administration with two proposals. The first scenario will be that deputies who are currently in the plan would be given the opportunity to individually choose whether to stay in social security or not. The other scenario is that all deputies would simply stay in social security. Ms. Overholt said that the Social Security Administration will generally consider the options that are presented and will not go outside of those options. Councillor Pfisterer asked what will happen to the deputies in social security until the Social Security Administration provides the final ruling? Ms. Overholt stated that under the new time line IPD and MCSD would remain in their same plan until January 2007, which should be enough time to receive an answer from the Social Security Administration.

Councillor Plowman asked what the current Cost of Living Adjusting (COLA) is for deputies. Mr. Haith said that it is currently two percent. Councillor Plowman asked if the Department of Public Safety will keep control of the Park Rangers, School Police, and Housing Police. Mr. Haith answered in the affirmative.

Councillor Oliver moved, seconded by Councillor Mahern, to amend Proposal No. 471, 2005 as per the amendments presented by Mr. Haith. The motion carried by a vote of 6-3, with Councillor McWhirter, Pfisterer, and Plowman casting the negative votes.

Councillor Pfisterer stated that she would like to hear from the people that created the amendments. Chairwoman Moriarty Adams said that there are representatives of the Sheriff as well as the Mayor who worked on the amendments. She said that the representatives the Mayor and the Sheriff have been meeting for the past 3 to 4 weeks along with Mr. Haith to go over all of the amendments, and the understanding is that they are both in agreement with the amendments.

Councillor Gibson stated that it is the right time in the City and County for police consolidation. Consolidation means that this city is headed in the right direction in terms of Public Safety.

Councillor Plowman asked Kevin Murray, MCSD General Counsel, if the sheriff was in agreement with all the amendments that have been proposed. Mr. Murray stated that this information is not quite accurate. He said that the Sheriff met with the members of the Fraternal Order of Police (FOP), talked to the law enforcement community and asked that they get together with Mr. Haith and folks from the Mayors office to try to see if there were amendments that everyone could agree upon to address the points raised in the FOP's five-point plan. He added that a number of the issues in that plan were addressed.

Councillor McWhirter stated that Senate Enrolled Act 307 establishes that this Council should determine that a reasonable and adequate police protection can be provided through consolidation and that the consolidation is in the public interest. She said that neither one of those points have been met. The public is not in support of a consolidation. Councillor McWhirter stated that she will not support Proposal No. 471, 2005.

Councillor Sanders stated that what has been done in the last six months has been to develop a proposal that provides for both reasonable transitions, and adequate coverage throughout the county. She said that the bulk of the people that have come to these meeting on a regular basis have been predominately members of the FOP who have a vested interest in the way the consolidation occurs. But it is the public citizens of the community that have a vested interest in the outcome of public safety and in many ways their voices have been overshadowed by those members of the FOP who have been at all the meetings. Councillor Sanders said that she was elected to represent citizens of the community and the citizens are looking for the Council to make difficult decisions that are good for the community. Councillor Sanders stated that she is in support of Proposal No. 471, 2005

Councillor Pfisterer asked where the resources are to be allocated. A new force would be considerably thinner than the current force. She said that she was advised that there are a number of officers that are traumatized by the instability of this consolidation, and these officers are looking for work elsewhere. This will thin the force even more, and the City then will have to bare the cost of retraining new officers, which will cost \$25,000 per officer. The public has made their wishes known and they are not in support of a consolidation. The officers have a vested interest in consolidation because it effects their lives and their safety. Councillor Pfisterer stated that until the allocation of resources is addressed she will not support Proposal No. 471, 2005.

Councillor Gibson stated consolidation is right for the people of Marion County. There has been six months of due diligence, there has been many meetings of public testimony, and there is no reason to run and hide from this important decision at this time. He said that there will be strong public safety in Indianapolis/Marion County. Councillor Gibson said that he is in support of Proposal No. 471, 2005.

Councillor Oliver stated that everyone could find something in this proposal that they can disagree on, but there are many parts of this proposal that people in district 10 support and agree upon a merger of IPD and MCSD. He said that he has spoken with several officers and deputies and they are quietly in support of this proposal. Councillor Oliver stated that he is in support of Proposal No. 471, 2005.

Councillor Conley stated that since the first meeting he said that there would not be a rush to judgement. He also said that there would not be a vote on Hollween and

there was not a vote. He said that the time has come for a merger. He said he has had some emails and phone calls from people not supporting consolidation, but there has been an enormous amount of people in support and they wanted to know why is it taking so long. Councillor Conley said that the time has come to move forward with consolidation and he is in support of Proposal No. 471, 2005.

Councillor Pfisterer stated that this is not a party issue and she is not hiding from the responsibility. She said that she is fulfilling the responsibility by asking that all of the issues are addressed before considering a merger. The public safety is at risk and this proposal is not ready to be pushed forward.

{Clerks note: Chairwoman Moriarty Adams read verbatim a statement, which is attached as Exhibit A and available in the Council Office.}

Councillor Gibson moved, seconded by Councillor Sanders, to send Proposal No. 471, 2005 to the full Council with a "Do Pass as Amended" recommendation. The motion carried by a vote of 6-3, with Councillor McWhirter, Pfisterer, and Plowman casting the negative votes.

### CONCLUSION

With no further business pending, and upon motion duly made, the Administration and Finance Committee of the City-County Council was adjourned at 7:40 p.m.

Respectfully submitted,

Mary Moriarty Adams, Chairwoman  
The Indianapolis Marion County  
Law Enforcement Consolidation  
Committee

MMA/rjp